

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRAVIS WAYNE VAVRA,

Defendant.

CRIMINAL NO. EP-20-CR-00065-DCG

**GOVERNMENT'S NOTICE OF INTENT TO OFFER
EXPERT TESTIMONY OF DR. VANESSA VELEZ**

Comes now the United States of America, by and through its United States Attorney and the undersigned Assistant United States Attorney, and gives notice, pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G) and Federal Rules of Evidence 702 and 703, of its intent to offer the expert testimony of Dr. Vanessa Velez, D.N.P., at the trial in the above-captioned cause. The Government intends to offer Dr. Velez as an expert in the field of forensic nursing; specifically the areas within forensic nursing related to the performing of sexual assault forensic examinations and the correlation of chronological age to certain developmental milestones in children.

I.

The Indictment in this case charges that the Defendant, Travis Wayne Vavra, transported the minor victim, R.S., across state lines with the intent to engaging in criminal sexual activity and that the Defendant possessed child sexual exploitation material on his phone. (ECF No. 41). R.S. will provide testimony that the Defendant sexually assaulted him on several occasions and the Government recovered digital files from the Defendant's electronic devices that it believes

constitute child pornography

Subsequent to suffering the abuse he experienced at the hands of the Defendant, R.S. underwent a sexual assault examination by pediatric Nurse Practitioner Dr. Vanessa Velez. The Government anticipates that Dr. Velez will testify as to the findings of that examination as well as provide opinions related to those findings. Additionally, the Government has requested that Dr. Velez review some of the images containing alleged child sexual exploitation material found on the Defendant's phone and provide an opinion as to the age of the children in those images based on the physical milestones evident in those pictures and videos.

II.

Dr. Vanessa Velez is a Board Certified Pediatric Nurse Practitioner and the Director of the El Paso Children's Hospital C.A.R.E.S. Clinic. As a Doctor of Nursing Practice, Dr. Velez has extensive experience in the medical evaluation and care of children, especially victims of sexual abuse. Dr. Velez is also certified by the Texas Office of the Attorney General as a Sexual Assault Nurse Examiner –Pediatrics and has extensive experience conducting such examinations on children. The C.A.R.E.S. Clinic that she oversees provides medical assessments along with preventative education for victims of child maltreatment and abuse. Dr. Velez's qualifications are summarized in a curriculum vitae, which has been provided to the defense.

While the Government anticipates Dr. Velez's testimony to be largely fact-based, based upon her knowledge, skill, training, and experience in pediatric medical care, sexual assault examinations of children, and child victim treatment and services, the Government anticipates Dr. Velez will also provide opinion testimony on the following:

- a.) Best practices for performing medical forensic examinations
- b.) The sexual assault examination of R.S., including explaining the presence of findings.
- c.) Victim behavior and common victim presentation at the exam.
- d.) Mechanism of injury and wounds.
- e.) Opinions based on the findings of the examination, including the cause of any injuries or wounds.
- f.) Opinions as to the age of certain minors depicted in images depicting alleged child sexual exploitation material.

The Government reserves the right to question the expert regarding other matters that may be raised during cross-examination by the defendant, based upon the testimony elicited from the defendant's experts, if any, or other witnesses, or the evidence introduced by the defendant. To the extent the Court allows the defendant the same right, the government reserves the right to elicit any additional testimony that this expert is qualified to provide should the need arise based on further developments in preparing for and during the trial.

At this time, the Government requests reciprocal discovery pursuant to Rule 16(b)(1)(C)(i).

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

By: _____/s/
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Certificate of Service

I hereby certify that on May 26, 2021, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System, which will transmit notification of such filing to the attorneys of record for Defendant.

/s/
SARAH VALENZUELA
Assistant United States Attorney